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Attorney for Plaintiffs
5 PINOLEVILLE POMO NATION, et al
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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9 PINOLEVILLE POMO NATION,
10 PINOLEVILLE POMO NATION
ENVIRONMENTAL ASSOCIATION AND
11 LEONA WILLIAMS,

12 Plaintiffs,

13 v.
14

15 UKIAH AUTO DISMANTLERS, WAYNE
HUNT ISABEL LEWRIGHT, WARRIOR
16 INDUSTRIES, INC., RICHARD MAYFIELD,
ROSS JUNIOR MAYFIELD, PAULA
17 MAYFIELD, KENNETH HUNT, U.S.
18 ALCHEMY CORPORATION AND DOES 1-
50, INCLUSIVE,

19 Defendants.
20
21

Case No.: C 07 2648

**PROPOSED ORDER GRANTING
INJUNCTIVE RELIEF**

Date: 06/25/08

Time: 1:30 P.M.

Dept: Courtroom C, 15th Floor

Judge: Susan Illston

22 The application of plaintiffs PINOLEVILLE POMO NATION, PINOLEVILLE POMO
23 NATION ENVIRONMENTAL ASSOCIATION AND LEONA WILLIAMS having come on
24 regularly for hearing, the Court having reviewed the documents and papers on file herein and
25 having heard the argument of counsel, and good cause appearing therefore:

26 Based on the foregoing authorities, Plaintiff the Pinoleville Pomo Nation, et al,
27 respectfully requests that this Court issue an order requiring UAD site operator (Wayne Hunt) to
28

1 Cease and Desist from all industrial operations at UAD site within the exterior boundaries of the
2 PINOLEVILLE POMO NATION pending completion of the following requirements:

- 3
- 4 i) Retain licensed engineer or licensed geologist and lodge CV or resume with Court and
PPN Tribal Council.
- 5 ii) Provide access for PPN Tribal Council TO UAD site over 60 days for PLAINTIFFS
6 sediment and soil testing and further and extensive testing as contemplated in
7 Declaration of Joaquin Wright of KENNEC INC EARTH ENGINEERING &
SCIENCE.
- 8 iii) Under supervision of licensed engineer or licensed geologist, remove all contaminated
9 soil off UAD site until all hazardous materials and or constituents are below CAL
10 EPA MCL limits, legally and properly, and in compliance with all state and federal
11 regulations, and in a manner when moving dirt about, not to create hazards such as
12 airborne particles such as lead. Provide manifest and written documentation to Court
and PPN Tribal Council as to transportation and destination of contaminated soil.
- 13 iv) Put down Asphalt where industrial operations are contemplated.
- 14 v) Submit plan for Best Management Practices (BMP) to prevent pollution and illegal
15 discharge of pollution certified and prepared by a licensed engineer or licensed
geologist to be lodged with Court and PPN Tribal Council.
- 16 vi) Implement BMP'S verified through initial inspection by PPN Tribal Council in order to
17 resume industrial operations, and then twice monthly monitoring for compliance over
18 12 month period by PPN Tribal Council.
- 19
- 20

21 IT IS HEREBY ORDERED that plaintiffs' application for Preliminary Injunction is GRANTED

22 DATED: _____

23 THE HONORABLE SUSAN ILLSTON
24 UNITED STATES DISTRICT COURT JUDGE
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